

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Bogdanove et al.)
Serial No. : 09/596,784)
Cnfrm. No. : 3745)
Filed : June 19, 2000)
For : HYPERSENSITIVE RESPONSE ELICITOR)
FROM *ERWINIA AMYLOVORA*, ITS USE,)
AND ENCODING GENE)

Examiner:
G. BugaiskyArt Unit:
1653

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Andy/CG
4/10/05

AMENDMENT UNDER 37 C.F.R. § 1.116

U.S. Patent and Trademark Office
P.O. Box 2327
Arlington, Virginia 22202
Box: AF

Dear Sir:

In response to the March 22, 2002, office action, please amend the above-identified patent application as follows:

In the Claims:

Please amend claims 17-19 and 20-28 as follows:

B1
17. (Twice Amended) An isolated hypersensitive response eliciting protein or polypeptide selected from the group consisting of a protein or polypeptide having an amino acid sequence comprising SEQ ID NO: 2 or SEQ ID NO: 4, and a protein or polypeptide having an amino acid sequence encoded by a nucleic acid whose full length complement hybridizes, at 65°C in a medium which includes 1M NaCl, to a DNA molecule comprising the nucleotide sequence of SEQ ID NO: 1 or SEQ ID NO: 3.

B2
18. (Amended) An isolated protein or polypeptide according to claim 17, wherein the protein or polypeptide has an amino acid sequence comprising SEQ ID NO: 2 or SEQ ID NO: 4.

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